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DATE: April 1, 2005

NO. OF PAGES (INCLUDING THIS PAGE): 31

FOR: Group Art Unit 3725

COMPANY: USPTO

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FROM: Christopher A. Eusebi

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COMMENTS:

Application No.: 10/718,494
Filing Date: November 20, 2003
Applicant: James N. Woyciesjes, et al.
Group Art Unit: 3725
Examiner: David B. Jones
Title: MODULAR RIVET TOOL
Attorney Docket: 0275V-000682

Examiner Jones:

Per our telephone conversation of 4/1/05, the following documents are attached: Second Submission of Response to Office Action (2 pages); copy of Transmittal Form (1 page); Fee Transmittal (1 page); Amendment (17 pages); seven sheets of drawings (1/13-6/13 and 10/13); copy of returned postcard; and copy of Express Mail Corporate Account Mailing Statement listing Express Mail Label No. EV 406 076 431 US with the mailing date of 10/29/04.

Christopher A. Eusebi

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/718,494
Filing Date: November 20, 2003
Applicant: James N. Woyciesjes, et al.
Group Art Unit: 3725
Examiner: David B. Jones
Title: MODULAR RIVET TOOL
Attorney Docket: 0275V-000682

Director of The United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

SECOND SUBMISSION OF RESPONSE TO OFFICE ACTION

Sir:

The Examiner is respectfully requested to consider the attached following documents originally submitted on October 29, 2004 in response to the Office Action dated July 29, 2004:

1. Transmittal Form dated October 29, 2004 listing Express Mail Label No. EV 406 076 431 US (10/29/2004);
2. Fee Transmittal for FY2005 dated October 29, 2004 authorizing extra claim fees in the amount of \$528.00 to be charged to Deposit Account 02-2550;
3. Amendment (17 pages) dated October 29, 2004; and
4. Seven replacement sheets of drawings 1/13-6/13 and 10/13.

Also enclosed is a copy of the returned postcard showing the above-referenced documents were mailed via Express Mail Label No. EV 406 076 431 US and received in the United States Patent and Trademark Office on October 29, 2004 along with a copy of an Express Mail Corporate Account Mailing Statement listing Express Mail Label EV 406 076 431 US with the mailing date of October 29, 2004.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: April 1, 2005

By: Christopher A. Eusebi

Christopher A. Eusebi
Reg. No. 44,672

HARNESS, DICKEY & PIERCE, P.L.C.
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CAE/smb

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Approved for use through 07/31/2008. OMB 0881-0032
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
 unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 528

Complete If Known

Application Number 10729,494
 Filing Date November 20, 2003
 First Named Inventor James N. Woydaslas, et al.
 Examiner Name David B. Jones
 Art Unit 3725
 Attorney Docket No. 0275V-000682

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None
 Order
☒ Deposit Account:Deposit
Account
Number

02-2550

Deposit
Account
Name

The Black & Decker Corporation

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee
 to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1006	180	2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
32	-32 ** = 0	X	0
Independent Claims	10	-4 ** = 6	X 88 = 528
Multiple Dependent		X	0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 528)

**For number previously paid, if greater. For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1082	60	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,920	1812	2,920	For filing a request for reexamination	
1804	820*	1804	820*	Requesting publication of SIR prior to Examiner action	
1806	1,840*	1806	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	880	2253	430	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unrevocable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1602	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1480	130	1480	130	Petitions to the Commissioner	
1807	60	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
6021	40	6021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0)

SUBMITTED BY

Name (Print/Type)

Christopher A. Eusebi

Registration No.
(Attorney/Agent)

44,872

Telephone

248-641-1800

Signature

Date

October 29, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Applicant:	James N. Woyciesjes, et al.	Case No.:	0275V-000682
Serial No.:	10/718,494	Filing Date:	November 20, 2003
Title:	MODULAR RIVET TOOL		

Please acknowledge receipt of: Express Mail Label No. EV 406 076 431 US (10/29/2004); Transmittal; Fee Transmittal for FY2005 (in duplicate); Amendment (17) pages; and replacement drawing sheets 1/13-6/13 and 10/13 (7 sheets).

EV 406 076 431 US



By stamping and returning to Harness, Dickey & Pierce, P.L.C.

USPTO Date Stamp

Due: 10/29/04

Date Mailed: 10/29/04

Attorney: CMB/CAE

H O & P
TROY

2004 NOV -8 A 9:46



Carlsbad Caverns National Park, NM

HARNESS, DICKEY & PIERCE, P.L.C.

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APR 1 2005





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PAGE: 3

ACCOUNT NO: 483944

PERIOD: 10/01/04 - 10/31/04

DATE	CHARGE BACK	LABEL NUMBER	UNIT ZIP	POST ZIP	ADJ & REF	POSTAGE	FEES		DEPOSITS	WITH- DRAWALS	CDA REF
							POSTAGE	FEES			
10/26/04		EV531988945US	48099	22313		13.65					
10/26/04		EV531988648US	48099	19087		13.65					
10/27/04		EL623310608US	48099	22313		13.65					
10/27/04		EV531988045US	48099	22313		13.65					
10/27/04		EV406075039US	48099	22313		22.80					
10/27/04		EV406075042US	48099	22313		22.80					
10/27/04		EV406075056US	48099	22313		17.85					
10/27/04		EV406076445US	48099	22313		52.00					
10/27/04		EV412030849US	48099	22313		13.65					
10/27/04		EV531988061US	48099	15250		13.65					
10/27/04		EV531988075US	48099	22202		13.65					
10/27/04		EV531988282US	48099	22313		13.65					
10/27/04		EV531988781US	48099	22313		13.65					
10/28/04		EL741093187US	48099	22313		13.65					
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10/28/04		EV406076428US	48099	22313		43.75					
10/28/04		EV531988971US	48099	48331		13.65					
10/28/04		EV533148100US	48099	22313		57.88					
10/28/04		EV512510645US	48099	22313		21.00					
10/29/04		EV521081190US	48099	63105		13.65					
10/29/04		EV406074968US	48099	22313		13.65					
10/29/04		EV406075100US	48099	22313		13.65					
10/29/04		EV406075135US	48099	22313		13.65					
10/29/04		EV406076431US	48099	22313		49.15					
10/29/04		EV522841124US	48099	15250		13.65					
10/29/04		EV531988975US	48099	22313		13.65					
10/29/04		EV531988069US	48099	22202		13.65					
10/29/04		EV531988092US	48099	15250		13.65					
10/29/04		EV531988279US	48099	22313		13.65					
SUB-TOTAL:						3,481.00					
(A) TOTAL CHARGES:						3,481.00	0.00	0.00			
(B) TOTAL ADJUSTMENTS (S):						0.00	0.00	0.00			
(C) TOTAL REFUNDS (X):						0.00	0.00	0.00			
TOTAL (A + B - C):						3,481.00	0.00	0.00			
10/19/04		DEPOSIT							4,637.16		
ENDING BALANCE:						2,777.90					
CONGRATULATIONS! You saved \$0.05 using your Express Mail Corporate Account during the period covered by this statement.											

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